

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 156

Introduced by Johnson, 37;

PURPOSE: (1) To examine and provide recommendations relating to the waiting list for people with developmental disabilities and to provide recommendations on any proposed changes to the methodology used for the payment of service providers. The waiting list refers to people who have been determined to be eligible for services, have set a date of need, but have not received services because of a lack of funding available. The waiting list has continued to be only partially addressed and communication, coordination, and collaboration are needed to develop an updated strategic plan based on incremental implementation if the intent of Nebraska law is to be met.

(2) Subsection (3) of section 83-1216 provides: "It is the intent of the Legislature that by July 1, 2010, all persons determined to be eligible for services shall receive services in accordance with the Developmental Disabilities Services Act." In 2004, LB 297 amended section 83-1216 to include the establishment of a workgroup to provide a report to the Legislature and the Governor for the development of an objective assessment process to determine the amount of funding for the provision of services. The report generated by this workgroup was supported by unanimous consent of the workgroup. Further work is needed to develop a plan

and additional study is necessary. Such study and recommendations for a plan shall include, but not be limited to, consideration of the following:

(a) A plan for the provision of services to all persons determined to be eligible for services in accordance with the Developmental Disabilities Services Act by 2010; and

(b) The incremental statewide implementation process for the provision of specialized services based upon:

(i) The number of persons who are waiting for services; and

(ii) The need to prevent any future development of lengthy waiting lists for services.

(3) The plan shall be based upon data provided by the Department of Health and Human Services and the State Department of Education to include, but not be limited to, the following:

(a) The historical usage of priority one funding for people with developmental disabilities;

(b) Attrition in specialized services;

(c) The projected and actuarial budgeted funding for students who are exiting high school; and

(d) Other information as needed.

(4) In addition, the Medicaid Reform Council has identified the need to review and revise the methodology used for determining the rates paid to developmental disability providers.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

To implement the purpose of this resolution, the Department of Health and Human Services shall establish a working

group including representatives from the State Department of Education, the Advisory Committee on Developmental Disabilities, the Developmental Disabilities Planning Council, people with developmental disabilities and their families, a statewide developmental disability advocacy organization, developmental disabilities service providers, and other interested parties. The working group shall:

(1) Submit recommendations for a strategic plan to incrementally reduce the number of persons on the waiting list for developmental disabilities to meet the intent of the Legislature;

(2) Consult with the Department of Health and Human Services to review and make recommendations on any revision to the rate methodology; and

(3) Submit the workgroup's recommendations on the strategic plan and revisions to the rate methodology in a report to the Medicaid Reform Council, the Legislature, and the Governor.